IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX REFERENCE NO.133 OF 1998

The Commissioner of Income-tax,
Bombay City - IV, Bombay .. Applicant.
V/s.
The Park Club Ltd. .. Respondent.

Mr.Suresh Kumar for the applicant.

CORAM : V.C. DAGA &
J.P. DEVADHAR, JJ.

DATED : 11TH OCTOBER, 2005.

P.C. :

1. Heard the learned counsel for the applicant. The Tribunal has referred following question for the opinion of this Court reading as under :-

> Whether in the facts and in the circumstances of the case, the Tribunal was justified in upholding the order of the CIT (Appeals) deleting the addition made by the assessing officer on account of life membership fees ?

2. The learned counsel for the revenue fairly states that the above question has already been answered by the Apex Court in the case of **CIT V/s. Bankipur Club Ltd. [(1997) 226 I.T.R. 97 (S.C.)]** in favour of the assessee and against the revenue. In this view of the matter, question stands answered in affirmative for the reasons stated in the case of Bankipur Club Ltd. Reference, accordingly stands disposed of with no order as to costs.

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